

**House File 607 - Introduced**

HOUSE FILE 607  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 44)

**A BILL FOR**

1 An Act establishing a parole procedure for certain persons  
2 serving a class "A" felony sentence, and including effective  
3 date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 902.1, Code 2011, is amended to read as  
2 follows:

3 **902.1 Class "A" felony.**

4 1. Upon a plea of guilty, a verdict of guilty, or a special  
5 verdict upon which a judgment of conviction of a class "A"  
6 felony may be rendered, the court shall enter a judgment of  
7 conviction and shall commit the defendant into the custody of  
8 the director of the Iowa department of corrections for the rest  
9 of the defendant's life. Nothing in the Iowa corrections code  
10 pertaining to deferred judgment, deferred sentence, suspended  
11 sentence, or reconsideration of sentence applies to a class "A"  
12 felony, and a person convicted of a class "A" felony shall not  
13 be released on parole unless the governor commutes the sentence  
14 to a term of years.

15 2. a. Notwithstanding subsection 1, a person convicted  
16 of a class "A" felony, and who was a child under the age  
17 of eighteen at the time the offense was committed shall be  
18 eligible for parole after serving a minimum term of confinement  
19 between thirty and forty-five years. The court, at the time of  
20 sentencing, shall determine the specific term of confinement to  
21 be served between thirty and forty-five years before the person  
22 is eligible for parole.

23 b. If a person is paroled pursuant to this subsection the  
24 person shall be subject to the same set of procedures set out  
25 in chapters 901B, 905, 906, and chapter 908, and rules adopted  
26 under those chapters for persons on parole.

27 c. A person convicted of murder in the first degree in  
28 violation of section 707.2 shall not be eligible for parole  
29 pursuant to this subsection.

30 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
31 immediate importance, takes effect upon enactment.

32 EXPLANATION

33 This bill establishes a parole procedure for certain persons  
34 serving a class "A" felony.

35 The bill provides that a person serving a class "A" felony,

1 other than a person convicted of murder in the first degree,  
2 who was under 18 years of age when the offense was committed is  
3 eligible for parole after serving a minimum term of confinement  
4 between 30 and 45 years. The court, at the time of sentencing,  
5 shall determine the specific term of confinement to be served  
6 between 30 and 45 years before the person is eligible for  
7 parole.

8 The bill applies to the following class "A" felonies:  
9 conspiracy to manufacture for delivery, delivery, or intent to  
10 deliver amphetamine or methamphetamine to a minor in violation  
11 of Code section 124.401D; sexual abuse in the first degree in  
12 violation of Code section 709.2; kidnapping in the first degree  
13 in violation of Code section 710.2; and enhanced penalties for  
14 sexual abuse and lascivious acts with a child in violation of  
15 Code section 902.14.

16 If a person is paroled pursuant to the bill, the person  
17 shall be subject to the same set of procedures set out in Code  
18 chapters 901B, 905, 906, and 908, and rules adopted under those  
19 Code chapters for persons on parole. The parole status of a  
20 person paroled pursuant to the bill may be revoked and the  
21 original sentence imposed under the procedures of Code chapter  
22 908. The paroled person may also be discharged early from  
23 parole pursuant to Code section 906.15.

24 Code section 903A.5 does not apply to reduce the mandatory  
25 minimum sentence of 25 years established by the bill.

26 The bill also does not apply to enhanced life sentences in  
27 Code chapter 901A (sexually predatory offenses).

28 The bill takes effect upon enactment.